

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE <div style="text-align: center;">J</div>		PAGE OF PAGES <div style="text-align: center;">1 8</div>	
2. AMENDMENT/MODIFICATION NO. <div style="text-align: center;">0004</div>		3. EFFECTIVE DATE <div style="text-align: center;">16-Apr-2003</div>		4. REQUISITION/PURCHASE REQ. NO. <div style="text-align: center;">W66QKZ-2077-8559</div>		5. PROJECT NO.(If applicable)	
6. ISSUED BY US ARMY CORPS OF ENGINEERS PO BOX 2946 PORTLAND OR 97208-2946		CODE <div style="text-align: center;">DACW57</div>		7. ADMINISTERED BY (If other than item 6) RAY GREENHECK PHONE: 503-808-4616 PO BOX 2946 PORTLAND OR 97219		CODE <div style="text-align: center;">DACW57</div>	
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code)				X		9A. AMENDMENT OF SOLICITATION NO. DACW57-02-Q-0139	
				X		9B. DATED (SEE ITEM 11) 11-Oct-2002	
						10A. MOD. OF CONTRACT/ORDER NO.	
						10B. DATED (SEE ITEM 13)	
CODE		FACILITY CODE					
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS							
<input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input checked="" type="checkbox"/> is extended, <input type="checkbox"/> is not extended. Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.							
12. ACCOUNTING AND APPROPRIATION DATA (If required)							
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.							
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.							
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).							
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:							
D. OTHER (Specify type of modification and authority)							
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.							
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) None of the small businesses that quoted at the established time for receipt of quotes met all the reporting limits required by the solicitation; therefore, this acquisition is now changed from a small business set-aside to an unrestricted procurement. All potential offerors shall quote on all contract line items, as the government does not intend to make a multiple award. The award will be made on an "all or none" basis. See next page for more information. The due date for quotes is hereby extended from 3 Feb 2003 4:00 PM to 28 Apr 2003 at 4:00 PM.							
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.							
15A. NAME AND TITLE OF SIGNER (Type or print)				16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)			
				TEL: _____ EMAIL: _____			
15B. CONTRACTOR/OFFEROR _____ (Signature of person authorized to sign)		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA BY _____ (Signature of Contracting Officer)		16C. DATE SIGNED 16-Apr-2003	

SECTION SF 30 BLOCK 14 CONTINUATION PAGE

SUMMARY OF CHANGES

SECTION SF 1449 - CONTINUATION SHEET

The due date for quotes is extended to 28 Apr 2003 4:00 PM

I. SOLICITATION/CONTRACT FORM

The set aside percentage 100.00% has been deleted.

The required response date/time has changed from 03-Feb-2003 04:00 PM to 25-Apr-2003 04:00 PM.

The Acquisition Set Aside has changed from Small Business to No Preference / Not Listed.

II. Submission instructions:

a. Offerors shall print, sign (block 15 a-c), and return one copy of the amendment with their offer.

b. Offerors may submit a new quote, revise a previous quote, or state that the original quote remains unchanged.

c. If the offeror is a large business, a subcontracting plan shall be submitted with your offer. Please see attached Letter of Instructions and Sample Subcontracting Plan. *A contract award cannot be made without an approved subcontracting plan.*

III. Changes to clauses/instructions.

a. The following clauses are added:

(1) 52.219-8 UTILIZATION OF SMALL BUSINESS CONCERNS (OCT 2000)

(a) It is the policy of the United States that small business concerns, veteran-owned small business concerns, service-disabled veteran-owned small business concerns, HUBZone small business concerns, small disadvantaged business concerns, and women-owned small business concerns shall have the maximum practicable opportunity to participate in performing contracts let by any Federal agency, including contracts and subcontracts for subsystems, assemblies, components, and related services for major systems. It is further the policy of the United States that its prime contractors establish procedures to ensure the timely payment of amounts due pursuant to the terms of their subcontracts with small business concerns, veteran-owned small business concerns, service-disabled veteran-owned small business concerns, HUBZone small business concerns, small disadvantaged business concerns, and women-owned small business concerns.

(b) The Contractor hereby agrees to carry out this policy in the awarding of subcontracts to the fullest extent consistent with efficient contract performance. The Contractor further agrees to cooperate in any studies or surveys as may be conducted by the United States Small Business Administration or the awarding agency of the United States as may be necessary to determine the extent of the Contractor's compliance with this clause.

Definitions. As used in this contract--

HUBZone small business concern means a small business concern that appears on the List of Qualified HUBZone Small Business Concerns maintained by the Small Business Administration.

Service-disabled veteran-owned small business concern--

(1) Means a small business concern--

(i) Not less than 51 percent of which is owned by one or more service-disabled veterans or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more service-disabled veterans; and

(ii) The management and daily business operations of which are controlled by one or more service-disabled veterans or, in the case of a veteran with permanent and severe disability, the spouse or permanent caregiver of such veteran.

(2) Service-disabled veteran means a veteran, as defined in 38 U.S.C. 101(2), with a disability that is service-connected, as defined in 38 U.S.C. 101(16).

Small business concern means a small business as defined pursuant to Section 3 of the Small Business Act and relevant regulations promulgated pursuant thereto.

Small disadvantaged business concern means a small business concern that represents, as part of its offer that--

(1) It has received certification as a small disadvantaged business concern consistent with 13 CFR part 124, subpart B;

(2) No material change in disadvantaged ownership and control has occurred since its certification;

(3) Where the concern is owned by one or more individuals, the net worth of each individual upon whom the certification is based does not exceed \$750,000 after taking into account the applicable exclusions set forth at 13 CFR 124.104(c)(2); and

(4) It is identified, on the date of its representation, as a certified small disadvantaged business in the database maintained by the Small Business Administration (PRO-Net).

Veteran-owned small business concern means a small business concern--

(1) Not less than 51 percent of which is owned by one or more veterans (as defined at 38 U.S.C. 101(2)) or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more veterans; and

(2) The management and daily business operations of which are controlled by one or more veterans.

Women-owned small business concern means a small business concern--

(1) That is at least 51 percent owned by one or more women, or, in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more women; and

(2) Whose management and daily business operations are controlled by one or more women.

(d) Contractors acting in good faith may rely on written representations by their subcontractors regarding their status as a small business concern, a veteran-owned small business concern, a service-disabled veteran-owned small business concern, a HUBZone small business concern, a small disadvantaged business concern, or a women-owned small business concern.

(End of clause)

(2) 52.219-9 SMALL BUSINESS SUBCONTRACTING PLAN (JAN 2002)--ALTERNATE II (OCT 2001).

(a) This clause does not apply to small business concerns.

(b) Definitions. As used in this clause--

Commercial item means a product or service that satisfies the definition of commercial item in section 2.101 of the Federal Acquisition Regulation.

Commercial plan means a subcontracting plan (including goals) that covers the offeror's fiscal year and that applies to the entire production of commercial items sold by either the entire company or a portion thereof (e.g., division, plant, or product line).

Individual contract plan means a subcontracting plan that covers the entire contract period (including option periods), applies to a specific contract, and has goals that are based on the offeror's planned subcontracting in support of the specific contract, except that indirect costs incurred for common or joint purposes may be allocated on a prorated basis to the contract.

Master plan means a subcontracting plan that contains all the required elements of an individual contract plan, except goals, and may be incorporated into individual contract plans, provided the master plan has been approved.

Subcontract means any agreement (other than one involving an employer-employee relationship) entered into by a Federal Government prime Contractor or subcontractor calling for supplies or services required for performance of the contract or subcontract.

(c) Proposals submitted in response to this solicitation shall include a subcontracting plan that separately addresses subcontracting with small business, veteran-owner small business, HUBZone small business, small disadvantaged business, and women-owned small business concerns. If the offeror is submitting an individual contract plan, the plan must separately address subcontracting with small business, veteran-owner small business, HUBZone small business, small disadvantaged business, and women-owned small business concerns, with a separate part for the basic contract and separate parts for each option (if any). The plan shall be included in and made a part of the resultant contract. The subcontracting plan shall be negotiated within the time specified by the Contracting Officer. Failure to submit and negotiate a subcontracting plan shall make the offeror ineligible for award of a contract.

(d) The offeror's subcontracting plan shall include the following:

(1) Goals, expressed in terms of percentages of total planned subcontracting dollars, for the use of small business, veteran-owned small business, HUBZone small business, small disadvantaged business, and women-owned small business concerns as subcontractors. The offeror shall include all subcontracts that contribute to contract performance, and may include a proportionate share of products and services that are normally allocated as indirect costs.

(2) A statement of--

(i) Total dollars planned to be subcontracted for an individual contract plan; or the offeror's total projected sales, expressed in dollars, and the total value of projected subcontracts to support the sales for a commercial plan;

(ii) Total dollars planned to be subcontracted to small business concerns;

(iii) Total dollars planned to be subcontracted to veteran-owned small business concerns;

(iv) Total dollars planned to be subcontracted to HUBZone small business concerns;

(v) Total dollars planned to be subcontracted to small disadvantaged business concerns; and

(vi) Total dollars planned to be subcontracted to women-owned small business concerns.

(3) A description of the principal types of supplies and services to be subcontracted, and an identification of the types planned for subcontracting to--

- (i) Small business concerns;
- (ii) Veteran-owned small business concerns;
- (iii) HUBZone small business concerns;
- (iv) Small disadvantaged business concerns; and
- (v) Women-owned small business concerns.

(4) A description of the method used to develop the subcontracting goals in paragraph (d)(1) of this clause.

(5) A description of the method used to identify potential sources for solicitation purposes (e.g., existing company source lists, the Procurement Marketing and Access Network (PRO-Net) of the Small Business Administration (SBA), veterans service organizations, the National Minority Purchasing Council Vendor Information Service, the Research and Information Division of the Minority Business Development Agency in the Department of Commerce, or small, HUBZone, small disadvantaged, and women-owned small business trade associations). A firm may rely on the information contained in PRO-Net as an accurate representation of a concern's size and ownership characteristics for the purposes of maintaining a small, veteran-owned small, HUBZone small, small disadvantaged, and women-owned small business source list. Use of PRO-Net as its source list does not relieve a firm of its responsibilities (e.g., outreach, assistance, counseling, or publicizing subcontracting opportunities) in this clause.

(6) A statement as to whether or not the offeror included indirect costs in establishing subcontracting goals, and a description of the method used to determine the proportionate share of indirect costs to be incurred with—

- (i) Small business concerns;
- (ii) Veteran-owned small business concerns;
- (iii) HUBZone small business concerns;
- (iv) Small disadvantaged business concerns; and
- (v) Women-owned small business concerns.

(7) The name of the individual employed by the offeror who will administer the offeror's subcontracting program, and a description of the duties of the individual.

(8) A description of the efforts the offeror will make to assure that small business, veteran-owned small business, HUBZone small business, small disadvantaged business and women-owned small business concerns have an equitable opportunity to compete for subcontracts.

(9) Assurances that the offeror will include the clause of this contract entitled "Utilization of Small Business Concerns" in all subcontracts that offer further subcontracting opportunities, and that the offeror will require all subcontractors (except small business concerns) that receive subcontracts in excess of \$500,000 (\$1,000,000 for construction of any public facility) to adopt a subcontracting plan that complies with the requirements of this clause.

(10) Assurances that the offeror will--

- (i) Cooperate in any studies or surveys as may be required;
- (ii) Submit periodic reports so that the Government can determine the extent of compliance by the offeror with the subcontracting plan;

(iii) Submit Standard Form (SF) 294, Subcontracting Report for Individual Contracts, and/or SF 295, Summary Subcontract Report, in accordance with paragraph (j) of this clause. The reports shall provide information on subcontract awards to small business concerns, veteran-owned small business concerns, service-disabled veteran-owned small business concerns, small disadvantaged business concerns, women-owned small business concerns, and Historically Black Colleges and Universities and Minority Institutions. Reporting shall be in accordance with the instructions on the forms or as provided in agency regulations.

(iv) Ensure that its subcontractors agree to submit SF 294 and SF 295.

(11) A description of the types of records that will be maintained concerning procedures that have been adopted to comply with the requirements and goals in the plan, including establishing source lists; and a description of the offeror's efforts to locate small business, veteran-owned small business, HUBZone small business, small disadvantaged business, and women-owned small business concerns and award subcontracts to them. The records shall include at least the following (on a plant-wide or company-wide basis, unless otherwise indicated)

(i) Source lists (e.g., PRO-Net), guides, and other data that identify small business, veteran-owner small business, HUBZone small business, small disadvantaged business, and women-owned small business concerns.

(ii) Organizations contacted in an attempt to locate sources that are small business, veteran-owned small business, HUBZone small business, small disadvantaged business, or women-owned small business concerns.

(iii) Records on each subcontract solicitation resulting in an award of more than \$100,000, indicating--

(A) Whether small business concerns were solicited and, if not, why not;

(B) Whether veteran-owned small business concerns were solicited and, if not, why not;

(C) Whether HUBZone small business concerns were solicited and, if not, why not;

(D) Whether small disadvantaged business concerns were solicited and, if not, why not;

(E) Whether women-owned small business concerns were solicited and, if not, why not; and

(F) If applicable, the reason award was not made to a small business concern.

(iv) Records of any outreach efforts to contact--

(A) Trade associations;

(B) Business development organizations;

(C) Conferences and trade fairs to locate small, HUBZone small, small disadvantaged, and women-owned small business sources; and

(D) Veterans service organizations.

(v) Records of internal guidance and encouragement provided to buyers through--

(A) Workshops, seminars, training, etc.; and

(B) Monitoring performance to evaluate compliance with the program's requirements.

(vi) On a contract-by-contract basis, records to support award data submitted by the offeror to the Government, including the name, address, and business size of each subcontractor. Contractors having commercial plans need not comply with this requirement.

(e) In order to effectively implement this plan to the extent consistent with efficient contract performance, the Contractor shall perform the following functions:

(1) Assist small business, veteran-owner small business, HUBZone small business, small disadvantaged business, and women-owned small business concerns by arranging solicitations, time for the preparation of bids, quantities, specifications, and delivery schedules so as to facilitate the participation by such concerns. Where the Contractor's lists of potential small business, veteran-owner small business, HUBZone small business, small disadvantaged business, and women-owned small business subcontractors are excessively long, reasonable effort shall be made to give all such small business concerns an opportunity to compete over a period of time.

(2) Provide adequate and timely consideration of the potentialities of small business, veteran-owner small business, HUBZone small business, small disadvantaged business, and women-owned small business concerns in all "make-or-buy" decisions.

(3) Counsel and discuss subcontracting opportunities with representatives of small business, veteran-owner small business, HUBZone small business, small disadvantaged business, and women-owned small business firms.

(4) Provide notice to subcontractors concerning penalties and remedies for misrepresentations of business status as small, veteran-owner small business, HUBZone small, small disadvantaged, or women-owned small business for the purpose of obtaining a subcontract that is to be included as part or all of a goal contained in the Contractor's subcontracting plan.

(f) A master plan on a plant or division-wide basis that contains all the elements required by paragraph (d) of this clause, except goals, may be incorporated by reference as a part of the subcontracting plan required of the offeror by this clause; provided--

(1) the master plan has been approved, (2) the offeror ensures that the master plan is updated as necessary and provides copies of the approved master plan, including evidence of its approval, to the Contracting Officer, and (3) goals and any deviations from the master plan deemed necessary by the Contracting Officer to satisfy the requirements of this contract are set forth in the individual subcontracting plan.

(g) A commercial plan is the preferred type of subcontracting plan for contractors furnishing commercial items. The commercial plan shall relate to the offeror's planned subcontracting generally, for both commercial and Government business, rather than solely to the Government contract. Commercial plans are also preferred for subcontractors that provide commercial items under a prime contract, whether or not the prime contractor is supplying a commercial item.

(h) Prior compliance of the offeror with other such subcontracting plans under previous contracts will be considered by the Contracting Officer in determining the responsibility of the offeror for award of the contract.

(i) The failure of the Contractor or subcontractor to comply in good faith with (1) the clause of this contract entitled "Utilization Of Small Business Concerns," or (2) an approved plan required by this clause, shall be a material breach of the contract.

(j) The Contractor shall submit the following reports:

(1) Standard Form 294, Subcontracting Report for Individual Contracts. This report shall be submitted to the Contracting Officer semiannually and at contract completion. The report covers subcontract award data related to this contract. This report is not required for commercial plans.

(2) Standard Form 295, Summary Subcontract Report. This report encompasses all of the contracts with the awarding agency. It must be submitted semi-annually for contracts with the Department of Defense and annually for contracts with civilian agencies. If the reporting activity is covered by a commercial plan, the reporting activity must report annually all subcontract awards under that plan. All reports submitted at the close of each fiscal year (both individual and commercial plans) shall include a breakout, in the Contractor's format, of subcontract awards, in

whole dollars, to small disadvantaged business concerns by North American Industry Classification System (NAICS) Industry Subsector. For a commercial plan, the Contractor may obtain from each of its subcontractors a predominant NAICS Industry Subsector and report all awards to that subcontractor under its predominant NAICS Industry Subsector.

(End of clause)

(b) The following information has been modified:

INSTRUCTIONS TO OFFERORS

All offerors shall sign and return one copy of this amendment along with any quote, revisions to a previous quote, or a statement that the previous quote stands as is. You may submit your quote package via mail. This procurement is no longer set aside for Small Businesses, but is now an unrestricted competition for the requirements type contract.

Offerors shall indicate the detection level (reporting limit and practical quantitation limit) for each type of analysis listed in the space provided in the Base Year CLINS (0001 – 0048). Please note that these detection levels shall apply to all the option years as well.

The final invoice for each Task Order shall state “This is a final invoice” and shall contain the following release of claims statement, e.g. “Upon payment of this final invoice for Task Order number XXXX (contractor shall fill in the Task Order number), the contractor hereby releases the Government from any and all liabilities attributable to this Task Order, unless otherwise noted hereon.” Upon receipt of the final invoice containing this statement, the Government reserves the right to unilaterally de-obligate any remaining funds on the Task Order.

c. The following clause has been deleted:

52.219-6

Notice Of Total Small Business Set-Aside

JUL 1996

IV. No other terms or conditions of the solicitation are changed.

(End of Summary of Changes)



REPLY TO
ATTENTION OF

DACW57-02-Q-0139 Amendment 0004

DEPARTMENT OF THE ARMY
PORTLAND DISTRICT, CORPS OF ENGINEERS
P.O. BOX 2946
PORTLAND, OREGON 97208-2946

Contracting

Division

SUBJECT: DACW57-02-Q-0139, Laboratory Water and Sediment Testing.

NOTICE TO LARGE BUSINESS FIRMS

Your attention is directed to the contract clauses entitled "Utilization of Small Business Concerns (Oct 2000) (52.219-8) and "Small Business Subcontracting Plan" (Oct 2001) (52.219-9II) which are included in this solicitation. If you are a large business, and your offer is \$500,000 or more for supplies or services or \$1,000,000 for construction, you are required to submit a subcontracting plan **with your proposal**. Award will not be made under this solicitation without a subcontracting plan approved by the Contracting Officer.

DEFINITIONS:

- Subcontract" means any agreement (other than one involving an employer-employee relationship) entered into by a Federal Government prime contractor or subcontractor calling for supplies and/or services required for performance of the contract or subcontract.
- Small Business Concerns. For the purpose of this subcontracting plan, small business concerns refer to Small Business, Small Disadvantaged Business (SDB), Women-owned Small Business (WOSB), HUBZone Small Business, and Veteran-owned Small Business concerns.
- Floor: "Floor" is the term the U.S. Army Corps of Engineers uses to replace goal. It represents the minimum level for small business performance.

For your information, we consider the following floors reasonable and achievable during the performance of the contract resulting from this solicitation. However, final floors will be negotiated prior to contract award. The Subcontracting Plan will then become a material part of your contract.

- a. **20%** of planned subcontracting dollars can be placed with all small business concerns.
- b. **1%** of planned subcontracting dollars may be placed with HUBZone small business concerns. NOTE: b is a subset of a.

Only small disadvantaged businesses (SDB) firms must be certified by the U.S. Small Business Administration in addition to meeting the definition under FAR clause 52.219-8(c)(3))

- c. **5%** of planned subcontracting dollars can be placed with those small business concerns owned and controlled by socially and economically disadvantaged individuals or Historically Black Colleges and Universities or Minority Institutions. NOTE: c. is a subset of a.
- d. **1%** of planned subcontracting dollars for small women-owned businesses. NOTE: d. is a subset of a. Also, the women-owned business may meet the definition of a small

disadvantaged business. If so, d. will also be a subset of c.

e. **1%** of planned subcontracting dollars for veteran-owned small businesses. NOTE: e is a subset of a.

Floors included in any proposed plan submitted by you should be at least equal to the ones we are recommending. **If lesser floors are proposed, you will have to explain how those floors and your plan represent your best efforts to comply with the policy outlined in the contract clauses.** There are a number of equally important aspects of the plan. You should familiarize yourself with the requirements set forth in the contract clauses relating to the subcontracting plan *before* submitting a proposal.

CRITICAL: A sample plan format is attached for your information and use. Using this format will not insure that your subcontracting plan is acceptable. The use of this format will only insure that you have included all mandatory elements. The Subcontracting Plan that you submit with your offer will be evaluated using Appendix DD to the Army Federal Acquisition Regulation Supplement (AFARS) 19.705-4(d) to ensure it clearly represents your firm's ability to carry out the terms and conditions set forth in the contract clauses. A Subcontracting Plan with a score of less than 70 may not be accepted. It is recommended that your small business program reflect, as a minimum, what is described in the attached example which can be used **as a guide**. The example is intended to assist you in developing your own subcontracting plan/program. Delete the instructions shown in parenthesis or your small business program will not be approved. If discussions during this review raise doubts as to your intentions or ability to comply with these contractual obligations, it could result in your disqualification for award.

Your plan must address how you will maximize subcontracting opportunities with the small business communities to be found within the project location. Demonstrated outreach efforts through conference attendance, use of ProNet, Corporate support of your Small Business Program Liaison Officer and Small Business Program must be addressed in your subcontracting plan.

Your plan must be submitted with your price proposal. Should you have any questions or need assistance in developing your subcontracting plan please call Rene Baron at (503) 808-4602.

Sincerely,

Carmen M. Grace
Contracting Officer

Enclosure

NOTE: This is an example plan. Prior to submitting your subcontracting plan you must delete all the instructions shown in (parenthesis), including this message, or your plan will be returned.

SMALL, SMALL DISADVANTAGED , WOMEN-OWNED, HUBZONE, AND
VETERAN-OWNED SMALL BUSINESS SUBCONTRACTING PLAN

DATE: .

CONTRACTOR:

ADDRESS:

PHONE NO:

PROJECT TITLE:

SOLICITATION NO:

1. In accordance with the contract clauses at 52.219-8 and 52.219-9, (name of contractor) submits the following Subcontracting Plan for Small, Small Disadvantaged, and Women-owned Business Concerns.

2. Corresponding dollar values for percentages cited in paragraph 3 for the base period only:

a. Total contract amount is Not to Exceed \$ _____.

b. Total dollars planned to be subcontracted (to all types of businesses): \$ _____.

c. Total dollars planned to be subcontracted to small business concerns (including 2d, 2e, 2f and 2g below):
\$ _____.

d. Total dollars planned to be subcontracted to HUBZone small business: \$ _____.

e. Total dollars planned to be subcontracted to small disadvantaged business concerns:
\$ _____.

f. Total dollars planned to be subcontracted to small woman-owned business concerns:
\$ _____.

g. Total dollars planned to be subcontracted to veteran-owned small business concerns:
\$ _____.

3. The following percentage floors (expressed in terms of a percentage of total planned subcontracting dollars) are applicable to the contract awarded under the solicitation cited above.

a. The total estimated percentage of all planned subcontracting to all types of business concerns under this contract is (2b divided by 2a): _____%.

b. Small Business Concerns (2c divided by 2b): _____% of total planned subcontracting dollars under this contract will go to subcontractors who are small business concerns including 3c. and 3d.

c. Small HUBZone Business Concerns (2d divided by 2b): _____% of total planned subcontracting dollars under this contract will go to subcontractors who are HUBZone small business contractors. (SEE the definition in contract clause 52.219-8(c) or use the internet: <http://www.sba.gov/hubzone/> for further information.)

d. Small Disadvantaged Business Concerns (2e divided by 2b): _____% of total planned subcontracting dollars under this contract will go to subcontractors who are small disadvantaged individuals. (NOTE: On solicitations issued after October 1, 1999 SDB firms must be certified and meet the definition under clause 52.219-8(c)(3)).

e. Small Woman-Owned Business Concerns (2f divided by 2b): _____% of total

planned subcontracting dollars under this contract will go to subcontractors who are small woman-owned businesses.

f. Small Veteran-owned Business Concerns (2g divided by 2b): _____% of total planned subcontracting dollars under this contract will go to subcontractors who are veteran-owned small businesses.

4. The principal items or areas we will subcontract under this contract are:

a. Of the items or areas stated in 4; the following are planned to be subcontracted to Small Businesses (LIST THE NAME AND RESPONSIBILITY OF FIRM):

b. Of the items or areas stated in 4.a; the following are planned to be subcontracted to HUBZone small business concerns (LIST THE NAME AND RESPONSIBILITY OF FIRM):

c. Of the items or areas stated in 4.a; the following are planned to be subcontracted to Small Disadvantaged Businesses (LIST THE NAME AND RESPONSIBILITY OF FIRM):

d. Of the items or areas stated in 4.a; the following are planned to be subcontracted to Small Women-Owned Businesses (LIST THE NAME AND RESPONSIBILITY OF FIRM):

e. Of the items or areas stated in 4.a; the following are planned to be subcontracted to Small Veteran-Owned Businesses (LIST THE NAME AND RESPONSIBILITY OF FIRM):

5. Provide a description of the method your firm used to develop the subcontracting floors in paragraph 3:

6. Indirect costs were () were not () used in establishing subcontracting floors. **If indirect costs are included in your floors, furnish a description of the method used to determine the proportionate share of indirect costs to be incurred with (i) small business concerns (ii) HUBZone small business concerns (iii) small disadvantaged business concerns (iv) women-owned business concerns and (v) small veteran-owned business concerns.

7. The following individual will administer (name of contractor) Subcontracting Program: **(NOTE TO OFFERORS:** The individual named here will be expected to perform and manage your plan and contract clause 52.219-9). Site Construction project managers may not be acceptable as your small business advocate that manages your Corporate Small Business Program).

Name: _____ Job Title: _____
Address and Telephone Number: _____

This individual's specific duties with regard to the conduct of our firm's Subcontracting Plan will include, but will not be limited to, the following:

a. Developing and maintaining bidders lists of small business, HUBZone small business, small disadvantaged business and women-owned small business concerns using sources such as the Small Business Administration's ProNet (<http://pro-net.sba.gov/>), US Department of Commerce, Local Minority Business Development Centers, Economic Development Centers, and National Center for American Indian Enterprise Development.

b. Assuring the inclusion of small business, HUBZone small business, small disadvantaged, women-owned small business, and veteran owned small business concerns in all solicitations for products or services which they are capable of providing; and ensuring that all solicitations are structured to permit the maximum possible participation by small, small disadvantaged and women-owned small business concerns.

c. Establishing and maintaining records of all solicitations and subcontract awards to

ensure that the members of the firm who review bidders proposals documents their reasons for selecting or not selecting a bid submitted by a small business, HUBZone small business, small disadvantaged business, women-owned small business or veteran-owned small business concern, and monitoring the firm's progress towards achievement of its percentage floors.

d. Preparing and submitting the Subcontracting Report for Individual Contracts (SF 294) and the Summary Subcontract Report (SF 295) in accordance with instructions provided, and coordinating and preparing for all compliance reviews by Federal agencies.

e. Attendance at DOD sponsored training programs in order to develop guidance and training to firm personnel on the policy of the federal government to aid, assist, and counsel small business under this and other government contracts.

f. Conducting or arranging for all other activities necessary to further the intent and attainment of the floors in the Plan to include motivational training of the firm's purchasing personnel, attendance at workshops, seminars and trade fairs conducted by or on behalf of small business, HUBZone small business, and/or small disadvantaged and/or women-owned small business and/or Veteran-owned small business concerns; and general cooperation with members of the small, small disadvantaged, small women-owned, and veteran owned small business concerns or their representatives.

8. The following steps will be taken to ensure that small business, small HUBZone small business, small disadvantaged business, women-owned small business, and veteran-owned small business concerns receive notice of and have an equitable opportunity to compete for intended awards of subcontracts and/or purchase orders for the products and/or services describe in paragraph 4 above:

a. Sources will be requested through SBA's ProNet system, business development organizations, minority and small business trade associations and at small, minority, veteran small business and women-owned small business procurement conferences; sources will be contacted; and bidding materials will be provided to all responding parties expressing an interest.

b. Internally, motivational training will be conducted to guide and encourage purchasing personnel; source lists and guides to small business, HUBZone small business, small disadvantaged, women-owned small business, and veteran-owned small business concerns will be maintained and utilized by purchasing personnel while soliciting subcontracts and purchase orders; activities will be monitored to ensure sufficient time is allowed for interested bidders to prepare their proposals and to evaluate continuing compliance with the Subcontracting Plan.

9. [Name of contractor] agrees that the clause entitled "Utilization of Small Business Concerns"(Oct 2000) will be included in all subcontracts that offer further subcontracting opportunities. All subcontractors, except small business concerns, who receive subcontracts in excess of \$500,000 (\$1,000,000 in the case of construction) will be required to adopt a plan similar to this one. Such plans will be reviewed to assure that all minimum requirements of an acceptable subcontracting plan have been satisfied. The acceptability of percentaged floors shall be determined on a case-by-case basis depending on the supplies/services involved, the availability of potential small business, HUBZone small business, small disadvantaged, women-owned and veteran-owned subcontractors, and prior experience. Once approved and implemented, plans will be monitored through the submission of periodic reports and, as time and availability of funds permit, periodic visits to subcontractors facilities to review applicable records and subcontracting program progress.

10. (Name of contractor) agrees to submit such periodic reports and cooperate in any studies or surveys as may be required by the Contracting agency or Small Business Administration in order to determine the extent of compliance by the offeror with the subcontracting plan and with the clause entitled "Utilization of Small Business Concerns" contained in the contract.

11. (Name of Contractor) agrees to maintain at least the following types of records to document compliance with the Subcontracting Plan:

- a. The names of all organizations, agencies, and associations contacted for small business, HUBZone small business, small disadvantaged, women-owned small business sources, and veteran-owned small business along with records of attendance at conferences, seminars and trade fairs where additional sources were developed.
- b. Source lists, guides, and other data identifying small business, HUBZone small business, small disadvantaged, women-owned and veteran-owned small business subcontractors and vendors.
- c. Records on all subcontract solicitations resulting in an award of more than \$100,000 on a contract-by-contract basis, indicating (1) whether small business concerns were solicited, and if not, why not; (2) whether HUBZone small business were solicited, and if not, why not; (3) whether small disadvantaged business concerns were solicited, and if not, why not; (4) whether small women-owned business concerns were solicited, and if not, why not; and (6) reasons for the failure of solicited small, small disadvantaged, small women-owned small business concerns to receive a subcontract award.
- d. Records of all subcontract award data to include subcontractor's name and address, to be kept on a contract-by-contract basis.
- e. Minutes of internal motivational and training meetings held for the guidance and encouragement of purchasing personnel, and records of all monitoring activities performed for compliance evaluation.
- f. Copies of SF 294 and SF 295 showing date and place of filing and copies of all other reports or results of reviews conducted by the contracting agency or other interested agencies of the Federal government to monitor our compliance with this Subcontracting Plan.

12. (Name of Contractor) will submit a SF 295, Summary Subcontract Report, on Corps of Engineers projects only. The SF 295 shall be completed and distributed in accordance with the Corps of Engineers Supplemental Instructions. (Name of Contractor) will not report Corps of Engineers projects through any other Agency unless authorized by the Contracting Officer.

13. In closing, (Name of contractor) states that it will be the policy of (Name of contractor) to afford every practicable opportunity for small business, HUBZone small business, small disadvantaged business, small women-owned and veteran-owned small business concerns to participate in contracts awarded to (Name of contractor) by the Federal Government, to ensure that equitable opportunity is provided to small business, HUBZone small business, small disadvantaged business, women-owned and veteran-owned small business concerns to compete for award of subcontracts and purchase orders, and to diligently pursue the achievement of our goals of participation by small business, HUBZone small business, small disadvantaged business, women-owned and veteran-owned small businesses in the dollars available for subcontract/purchase order awards under this contract.

BY: _____

Signature and Title of CEO

Company Name

Date: _____